IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

THE HON'BLE SRI JUSTICE GOPALAKRISHNA TAMADA

Writ Petition No.19181 of 1999

Dated: 10-04-2007

Between:

1. Pallakonda Ugramani, s/o Sailu and 19 others.

... Petitioners

and

1. The Government of Andhra Pradesh, rep. by its Secretary, Revenue Department, Secretariat Buildings, Saifabad, Hyderabad and 5 others.

... Respondents

ORDER:

Heard learned counsel for the parties.

2. The grievance of petitioners is that respondents are laying 100' feet road through their lands situated in S.No.220A, 220B, 220C of Yenumamula revenue village, Sy.Nos.129, 250, 271,191 and 220 of Gorrekunta, Laxmipuram and Fort Warangal revenue villages of Warangal District without initiating any proceedings under the Land Acquisition Act, 1894 (for short, 'the Act').

3. Respondent Nos. 3 and 6 filed one counter affidavit and respondent No.5 filed another counter affidavit. Nowhere in the said counter affidavits it is stated that as to whether the lands have been acquired for the purpose of laying 100' feet road, but it is admitted that the said 100' feet road has been formed two years back by the Grain Market Committee under the instructions of the District Collector, Warangal under Janmabhoomi programme.

4. In the light of the said assertion that a road has been laid and if really the said road is from out of the lands belonging to petitioners, this court is of the view that the authorities shall initiate proceedings under the provisions of the Act and pay compensation in accordance with law.

5. Accordingly, the writ petition is allowed and the authorities are directed to initiate proceedings under the Act and pay compensation to petitioners in accordance with law. No costs.

However, it is made clear that the said exercise shall be completed within a period of three months from the date of receipt of a copy of this order.

JUSTICE GOPALAKRISHNA TAMADA

Dt.10-04-2007
GLV